

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARCUS BROOKING,
Petitioner,

v.

SUPT. MCGINLEY, *et al.*,
Respondents.

Case No. 2:21-cv-02239-JDW

ORDER

AND NOW, this 28th day of June, 2024, upon consideration of Marcus Brooking's Motion For Leave To Proceed *In Forma Pauperis*, (ECF No. 1), it is **ORDERED** that the Motion is **GRANTED**.

Upon consideration of Mr. Brooking's Petition For Relief From A Conviction Or Sentence By A Person In State Custody (ECF No. 2), the Report and Recommendation of the Honorable Judge José Arteaga (ECF No. 13), and Petitioner's Traverse For Writ Of Habeas Corpus (which I construe as an objection to Judge Arteaga's Report and Recommendation) (ECF No. 17), and for reasons stated in the accompanying Memorandum, it is **ORDERED** as follows:

1. The objections set forth in Petitioner's Traverse For Writ Of Habeas Corpus (ECF No. 17) are **OVERRULED**;
2. The Report & Recommendation (ECF No. 13) is **ADOPTED**; and

3. The Petition For Relief From A Conviction Or Sentence By A Person In State Custody (ECF No. 2) is **DENIED** and **DISMISSED WITH PREJUDICE**.

BY THE COURT:

/s/ Joshua D. Wolson

JOSHUA D. WOLSON, J.